

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

INNOVATIVE GLOBAL SYSTEMS LLC,

Plaintiff,

VS.

VOLVO CONSTRUCTION EQUIPMENT
NORTH AMERICA, INC., VOLVO TRUCKS
NORTH AMERICA, INC., KOMATSU
AMERICA CORP., CATERPILLAR, INC.,
HYUNDAI CONSTRUCTION EQUIPMENT
AMERICAS, INC., TOPCON TIERRA,
STARTRAK SYSTEMS, LLC, WIRELESS
MATRIX USA, LLC, JLG INDUSTRIES
INC., TYLER TECHNOLOGIES, INC.,
GEOTAB, INC., and NAVISTAR, INC.,

Defendants.

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CIVIL ACTION NO. 6:10-cv-00327

## JURY TRIAL DEMANDED

**PLAINTIFF’S REQUEST THAT CASE BE SET  
FOR SCHEDULING CONFERENCE**

Pursuant to the Court's July 27, 2010 Order, Plaintiff states as follows:

1. Ten of the twelve Defendants in this suit have filed answers (each no later than September 9, 2010) – all but the two Volvo defendants (“Volvo”).
2. Volvo was served on July 15, 2010. It received an unopposed extension to answer to September 7, 2010 (33 additional days). Although Plaintiff does not believe Volvo needs the additional time, Volvo filed another unopposed extension to answer to September 30, 2010 (23 additional days). Volvo will not be filing any additional unopposed extensions.
3. Plaintiff requests that *at this time* the case be placed on the next available date for scheduling conferences so that the case may begin progressing forward. There is no reason for

waiting until Volvo answers on September 30, 2010 for the case to be given a scheduling conference date when all other parties will have had answers on file for three weeks by that time.

4. There are no pending motions before the Court.

5. There have been two previous cases filed in the Eastern District of Texas based on the patents-in-suit:

- (a) *Innovative Global Systems, LLC v. Turnpike Global Technologies, LLC, et al*, Case No. 6:09-cv-00157 filed on April 7, 2009. On June 4, 2010, Judge Love issued an Order setting forth a provisional claim construction opinion. That case has since been closed; and
- (b) *Innovative Global Systems, LLC v. TeleTrac, Inc., et al*, Case No. 6:10-cv-00040 filed on February 18, 2010. Three of the original five defendants from that suit have been dismissed without prejudice: Digi International, WebTech Wireless, Inc. and WebTech Wireless (USA), Inc. A scheduling conference was held on September 7, 2010. That case has a *Markman* hearing date of August 25, 2011 and a trial date of May 7, 2012.

Both of these cases involve the same patents-in-suit as the instant case: U.S. Patent Nos. 6,608,554; 6,411,203; 6,744,352; 7,015,800; and 7,449,993.

**Dated: September 10, 2010.**

Respectfully submitted,

/s/ Michael T. Cooke  
State Bar No. 04759650  
Jonathan T. Suder  
State Bar No. 19463350  
Todd I. Blumenfeld  
State Bar No. 24067518  
FRIEDMAN, SUDER & COOKE  
Tindall Square Warehouse No. 1  
604 East 4th Street, Suite 200  
Fort Worth, Texas 76102  
Ph.: (817) 334-0400  
Fax: (817) 334-0401  
[jts@fsclaw.com](mailto:jts@fsclaw.com)  
[mtc@fsclaw.com](mailto:mtc@fsclaw.com)

Keith A. Rutherford  
R. Scott Reese  
Sarah R. Cabello  
WONG, CABELLO, LUTSCH,  
RUTHERFORD & BRUCCULERI, LLP  
20333 SH 249, Suite 600  
Houston, TX 77070  
Ph.: (832) 446-2400  
Fax: (832) 446-2424  
[krutherford@counselip.com](mailto:krutherford@counselip.com)  
[sreese@counselip.com](mailto:sreese@counselip.com)  
[scabello@counselip.com](mailto:scabello@counselip.com)

Eric M. Albritton  
ERIC M. ALBRITTON, P.C.  
P.O. Box 2649  
111 West Tyler Street  
Longview, TX 75601  
Ph.: (903) 757-8449 x204  
Fax: (903) 758-7397  
[ema@emafirm.com](mailto:ema@emafirm.com)

Thomas John Ward, Jr.  
WARD & SMITH LAW FIRM  
P.O. Box 1231  
Longview, TX 75606-1231  
Ph.: (903) 757-6400  
Fax: (903) 757-2323  
[jw@jwfirm.com](mailto:jw@jwfirm.com)

**ATTORNEYS FOR PLAINTIFF  
INNOVATIVE GLOBAL SYSTEMS, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10th day of September, 2010, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Michael T. Cooke